

Sixth Appellate District

San Jose, California

MONDAY, OCTOBER 1, 2007

The following case is submitted this date:

H029635 PEOPLE v. HULTON

H030780 In re TORREZ on Habeas Corpus

The trial court's order granting the petition for a writ of habeas corpus and for a new trial on counts 36 and 37 is reversed. The matter is remanded to the trial court with directions to enter an order denying the petition and reinstating the judgment of conviction. (not published)  
(Bamattre-Manoukian, Acting P.J.; We concur: Mihara, J., Duffy, J.)

Filed October 1, 2007

H030737 ALMON v. BLANDOR WAY, LLC, etc.

The judgment is affirmed. (not published)  
(Elia, J.; We concur: Rushing, P.J., Premo, J.)

Filed October 1, 2007

TUESDAY, OCTOBER 2, 2007

The Court met in its courtroom at 333 West Santa Clara Street, Suite 1060, San Jose, California. Present: Rushing, P.J.; Premo, J.; Elia, J.; and Jane Valdez Flor, Deputy Clerk.

H029297 PEOPLE v. WOOD

Cause called and argued by Jill A. Fordyce appearing for Appellant and by Allan Yannow, Deputy Attorney General, appearing for Respondent. Cause ordered submitted.

H030252 PEOPLE v. GONZALEZ

Cause called and argued by Maribeth Halloran appearing for appellant and by Ann P. Wathen, Deputy Attorney General, appearing for respondent.

H031016 MICHAEL v. SMARTPARKS-SAN JOSE, INC.

Cause called and argued by Michael Loren Renberg appearing for Appellant and by Haleh R. Jenkins appearing for Respondent. Cause ordered submitted. Court is adjourned.

The following cases are submitted this date:

H027516 PEOPLE v. TORRES

H029396 PEOPLE v. AMAYA

Sixth Appellate District

San Jose, California

Tuesday, October 2, 2007 (continued)

H030831 PEOPLE v. KELVIN DONNEL WILLIAMS

The abstract of judgment is ordered modified to reflect that the ordered restitution (§ 1202.4) and parole revocation (§ 1202.45) fines are \$400, that the ordered court security fee is \$20, that the sentence imposed on count 1 is the upper term, and that the sentence imposed on count 2 is a consecutive term of one-third the middle term. As so modified, the judgment is affirmed.

Bamattre-Manoukian, Acting P.J.; We concur: McAdams, J., Duffy, J.)

Filed October 2, 2007

WEDNESDAY, OCTOBER 3, 2007

H030822 BETTENCOURT on Habeas Corpus

The superior court's order granting defendant Daniel Bettencourt's petition for writ of habeas corpus is reversed, and the matter is remanded to the superior court with directions to enter a new order denying the petition. (not published)

(Bamattre-Manoukian, Acting P.J.; We concur: Mihara, J., McAdams, J.)

Filed October 3, 2007

H030466 PEOPLE v. FORDJOUR

The judgment is reversed with instructions to permit defendant to present his motion to withdraw his plea in propria persona. If that motion is denied, the judgment shall be reinstated. If it is granted, the court shall permit defendant to withdraw his plea and proceed as if the plea had not been entered. (not published)

(Rushing, P.J.; We concur: Premo, J., Elia, J.)

Filed October 3, 2007

Sixth Appellate District

San Jose, California

THURSDAY, OCTOBER 4, 2007

The following cases are submitted this date:

H030904 PEOPLE v. COLLINS  
H030322 PEOPLE v. BITNEY  
H030943 PEOPLE v. GUESS  
H030879 MARSHALL v. BARRETT  
H030804 PEOPLE v. LOPEZ  
H030649 PEOPLE v. HERNANDEZ  
H030223 PEOPLE v. RUIZ  
H031107 PEOPLE v. ARELLANO  
H030911 PEOPLE v. BERGSCHNEIDER  
H031078 PEOPLE v. RANGER INSURANCE COMPANY  
H030619 LANDI v. LANDI  
H031217 In re SHAWNA D.; D.F.C.S. v. SHAWN D.  
H030534 PEOPLE v. ROSE  
H031272 PEOPLE v. WALES  
H030942 PEOPLE v. MORFIN  
H030617 VANNEMAN v. KINZEL  
H030627 PEOPLE v. PURCELL  
H031204 PEOPLE v. WILSON  
H031130 TENDLER v. WWW.JEWISHSURVIVORS.BLOGSPOT.COM, ET AL.  
H030442 PEOPLE v. STROUSE  
H031479 PEOPLE v. COLBERT  
H031415 PEOPLE v. CHAVEZ  
H030710 PEOPLE v. RICHARD  
H030912 PHILLIPS v. YAPO  
H031253 LOPEZ v. LOPEZ  
H031024 PEOPLE v. SHABVANI  
H031135 PEOPLE v. ZARATE, et al.  
H030702 PEOPLE v. ROMAYOR  
H031277 AMERIQUEST MORTGAGE COMPANY, et al. v. FERREIRA, et al.

The Court met in its courtroom at 333 West Santa Clara Street, Suite 1060, San Jose, California. Present: Duffy, J.; Rushing, P.J.; Elia, J.; and LaNae Brooks, Deputy Clerk.

H031017 PEOPLE v. MOSES M.

Cause called and argued by Jonathan Grossman appearing for Appellant and by Michael E. Banister, Deputy Attorney General, appearing for Respondent. Cause ordered submitted.

H030744 In re DOROTHY L. HILL TRUST v. JOSEPH PEREZ, et al.

Cause called and argued by Anne E. Steele appearing for Appellant and by James Henley Anderson appearing for Respondents. Cause ordered submitted.

Sixth Appellate District

San Jose, California

Thursday, October 4, 2007 (continued)

H030802 VARGAS v. COUNTRYWIDE HOME LOANS, INC., et al.

Cause called and argued by Laura Jean Maechten appearing for Appellants and by Mark Jeremy Bluer appearing for Respondent. Cause ordered submitted. The Court is in recess until 1:30 p.m.

H030288 PEOPLE v. HUNTER, JR.

The judgment is affirmed. (not published)  
(Elia, J.; We concur: Rushing, P.J., Premo, J.)  
Filed October 4, 2007

H031096 PEOPLE v. CERVANTEZ

The judgment is affirmed. (not published)  
(Rushing, P.J.; We concur: Premo, J., Elia, J.)  
Filed October 4, 2007

H030898 PEOPLE v. CORTEZ

The judgment is affirmed. (not published)  
(Rushing, P.J.; We concur: Premo, J., Elia, J.)  
Filed October 4, 2007

H029602 REID v. GOOGLE, INC.

The trial court's grant of Google's motion to strike the hiring and promotion allegations in Reid's UCL claim, as well as Reid's prayer for restitution under the UCL is affirmed. The trial court's grant of Google's summary judgment motion as to Reid's UCL claims in the first cause of action and the remaining claims in the second, fourth, fifth, sixth, seventh causes of action is reversed. (published)  
(Rushing, P.J.; We concur: Premo, J., Elia, J.)  
Filed October 4, 2007

The Court reconvened at 1:30 p.m. in its courtroom at 333 West Santa Clara Street, Suite 1060, San Jose, California.  
Present: Bamattre-Manoukian, Acting P.J.; McAdams, J.; Duffy, J.; and Jossie Michel, Deputy Clerk.

H030681 THRIFTY PAYLESS, INC., v. RAJKOVICH, et al.

Cause called and argued by Stevan C. Adelman appearing for Appellants and by Lee C. Rosenthal appearing for Respondent. Cause ordered submitted.

H031062 THRIFTY PAYLESS, INC., v. RAJKOVICH, et al.

Cause called and argued by Stevan C. Adelman appearing for Appellants and by Lee C. Rosenthal appearing for Respondent. Cause ordered submitted. Court adjourns.

Sixth Appellate District

San Jose, California

Thursday, October 4, 2007 (continued)

H031078 PEOPLE v. RANGER INSURANCE COMPANY

The judgment is affirmed. (not published)  
(Premo, J.; We concur: Rushing, P.J., Elia, J.)  
Filed October 4, 2007

FRIDAY, OCTOBER 5, 2007

The following cases are submitted this date:

H031311 PEOPLE v. BARMINSKI

H031335 PEOPLE v. GRANDA

H031352 PEOPLE v. MADRIGAL

H031424 PEOPLE v. RICO

H031620 PEOPLE v. REED

H031767 THERESA A. v. SUPERIOR COURT (DFCS)

The petition for extraordinary writ is denied. (not published)

(McAdams, J.; We concur: Rushing, P.J., Elia, J.)

Filed October 5, 2007